


The Parties to this Memorandum of Agreement are the National Federation of Federal Employees (NFFE) Local 1998 and the Department of State, Bureau of Consular Affairs, Passport Services Directorate (CA/PPT). Because the numerical adjudication standards were suspended for 2009, and in order to accomplish the completion of Article 18 of the Collective Bargaining Agreement that will go into effect upon completion of negotiation on all Articles under this Collective Bargaining Agreement, the Parties agree:

1. That the Employer will work with the Union in determining the future numerical adjudication standards.
2. That the Union proposed the attached language under portions of Article 18 during the negotiations of this Article and that NFFE reserves the right to propose any or all of that language subsequent to the determination of the future numerical adjudication standards under provisions of Article 37 (Duration and Extent of Agreement) to amend or supplement the existing Agreement.
3. The Employer agrees not to raise the "covered by" argument if the Union submits proposals on this or similar language subsequent to the implementation of the new numerical adjudication standards.
4. That Management has a legal right to declare any or all of these proposals non-negotiable or not within the duty to bargain and that NFFE has the legal right to challenge that declaration before the Federal Labor Relations Authority (FLRA).



Colin Walle
President, NFFE Local 1998



Steve Polson
Chief Labor Management Negotiator,
Department of State



Steve Flory
Chief Labor Management Negotiator,
National Business Representative, NFFE

SIA 6/11/09
SB 6/11/09

Section 3

b.

(1) The Parties note that as of the date that they agreed to this Agreement, the adjudication of passport applications includes the proper operation of the Namecheck system.

(2) The Union recognizes that Management has the 5 U.S.C. 7106a right to assign adjudication duties. The Employer agrees to the appropriate arrangement to set a standard that allows for employee to properly complete the assigned adjudication duties (e.g., fraud detection, acceptability of citizenship evidence, review of application and identification, etc.). In accordance with 5 U.S.C. 7106b(1) and (2), the Parties agree that a fair and reasonable numerical desk adjudication standard at the Passport Agencies/Centers (e.g., excluding PPT/SIA and PPT/TO) for GS-9's/11's is 19 applications/hour, for GS-7's is 16/hour, and GS-5's is 13/hour.

(6) Fraud referrals: 15 minutes of non-productive time (or other category for recording this non-adjudicative work) will be counted for each fraud referral, to account for paperwork, incidentals, and other required steps.

(7) Complex derivative citizenship cases: 15 minutes of non-productive time (or other category for recording this non-adjudicative work) will be counted for each complex derivative citizenship case to account for time spent in obtaining the worksheets, printing the worksheets, recording the additional documents, and matching relevant documents to other family member applicants.

(8) The following are examples of situations in which it shall be unreasonable to adversely evaluate a Passport Specialist for failure to meet a particular performance standard:

(A) The action or actions required in desk or counter adjudication, or other particular assignment, required more time than the actual amount of adjudicating time available to the Passport Specialist.

(B) The Passport Specialist did not have an adequate amount of adjudicating time because he/she was directed or authorized to perform other functions.

(C) The timely performance of the assigned duty – e.g., adjudicating passport applications – is dependent upon the action of others over whom the Passport Specialist has no control (e.g., failure to properly data enter applications, failure to assemble applications correctly, unavailability of CLASS and Namecheck system, unavailability of computer access due to system failures).

h. All employees will be allowed 15 minutes of non-productive time, normally scheduled at or near the pay day, to review and confirm the accuracy of personnel/payroll data (e.g., Employees Express, HR-Online). This time will be recorded separately in an appropriate (MIS) accounting category.

UNION:

MANAGEMENT:

14c. OFFICIAL TIME: All employees selected to participate in such an assessment or evaluation shall be given official time to participate. Unless the parties mutually agree to waive this requirement, on an annual basis the Union and Management shall jointly determine a random method of selecting 10% or more of the employees for a week-long study or test of the performance standards. Employees selected for the test shall be informed that they are on official time for the test. The production results of this test shall be shared with the Union.

14c. OFFICIAL TIME: All employees selected to participate in such an assessment or evaluation shall be given duty time to participate, where appropriate. Where a undisclosed assessment and evaluation is conducted with a randomly selected group of passport adjudicators, duty time may not be granted but all employees within a potential pool of selected employees will be reminded of processes and procedures as noted above.

Where a undisclosed assessment and evaluation is conducted with a randomly selected group of passport employees, duty time may not be granted but all employees within a potential pool of selected employees will be reminded of processes and procedures as noted above.